

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	PEKIN, Senol, et al.	)	Express Mail No.
		)	EV 410721224 US
		)	
Serial No.:	TBD	)	
		)	
Filed:	TBD	)	
		)	
For:	OPTIMIZED BOND OUT METHOD FOR FLIP CHIP WAFERS	)	
		)	
Art Unit:	TBD	)	
		)	
Examiner:	TBD	)	
		)	
		)	
		)	

PETITION UNDER 37 C.F.R. § 1.47(a)

Mail Stop NEW APPLICATIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

One of the joint inventors in the subject patent application, Mr. Senol Pekin, refuses to sign the declaration. The subject application is therefore submitted under 37 C.F.R. § 1.47(a) according to the requirements of MPEP 409.03(a) as follows:

(A) The joint inventors have (1) made a declaration on their own behalf under 37 C.F.R. § 1.63 and have (2) made a declaration on behalf of the non-signing joint inventor.

(B) The following facts are submitted as proof that the non-signing inventor refuses to execute the application papers:

1. Copies of the application including the specification, claims, drawings, and the declaration were mailed to the non-signing inventor for signature by Federal Express at his last known address on May 28, 2003.

2. On November 25, 2003, Mr. Pekin telephoned and informed Rhonda Mason, a legal assistant employed by the undersigned, that he would not execute the patent application declaration/power of attorney and the assignment documents. The declaration of Rhonda Mason is attached as Exhibit B.

(C) The last known address of the non-signing joint inventor is:

Senol Pekin  
950 Meridian Avenue, Apt 72  
San Jose, CA 95126

Because the non-signing inventor has expressly refused to sign the application documents and has not returned the executed application papers as of the date of filing this petition, the non-signing inventor's conduct constitutes a refusal to sign the application papers, and Petitioner hereby requests that the subject application be accepted on Mr. Pekin's behalf without his signature under the declaration of the signing co-inventors.

The fee for this petition is attached hereto.

Respectfully submitted,

  
Eric James Whitesell

Reg. No. 38,657

Address all correspondence to:

LSI Logic Corporation  
1551 McCarthy Blvd., MS: D-106  
Milpitas, CA 95035

Direct telephone inquiries to:

Leo J. Peters  
(408) 433-4578

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**DECLARATION OF RHONDA L. MASON  
IN SUPPORT OF THE PETITION UNDER 37 C.F.R. 1.47(a)**

I, RHONDA L. MASON, hereby declare as follows:

1. I am a legal assistant employed by the law firm of Fitch, Even, Tabin, and Flannery ("Fitch, Even").

2. Fitch, Even represents LSI Logic Corporation ("LSI") in patent application matters. LSI instructed Fitch, Even to handle preparation of the above-identified patent application which is being filed together herewith (the "subject patent application").

3. Mr. Senol Pekin, a former employee of LSI, has been identified by LSI as a joint inventor of the subject patent application.

4. Mr. Senol Pekin's last known address is: 950 Meridian Avenue, Apt. 72, San Jose, California 95126. It is my belief that this is the last known address at which Mr.

Pekin customarily receives mail.

5. I am not aware, and have no reason to believe, that Mr. Pekin is represented by counsel.

6. On May 19, 2003, I mailed a copy of a final draft of the subject patent application including a declaration/power of attorney and an assignment to Mr. Pekin at his last known address by United States Postal Service First Class Mail.

7. Upon receiving no response from Mr. Pekin, Fitch, Even filed the subject patent application as a provisional patent application #60/490,715 and mailed Mr. Pekin a copy of the filed provisional patent application.

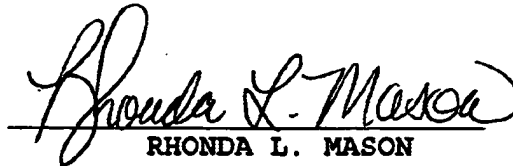
7. On November 24, 2003, I spoke with Mr. Pekin by telephone. Mr. Pekin acknowledged receipt of the draft of the subject patent application and informed me that he would review the application in about two weeks after he finished moving. He told me that he would prefer that the application be filed without him, but he agreed to review the application and to sign a declaration/power of attorney and assignment for the subject patent application.

8. On November 25, 2003, Mr. Pekin called me and informed me that he did not believe that the patent should proceed because he was no longer employed by LSI and that he would not execute any patent application documents. He further requested that Fitch, Even not contact him again.

9. Mr. Pekin's refusal to execute any patent application documents was an express oral refusal. This refusal was communicated to me over the telephone on November 25, 2003, while I was in the San Diego offices of Fitch, Even.

10. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

January 14, 2004  
DATE

  
RHONDA L. MASON